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# Return or restitution of cultural property to the countries of origin

## Note by the Secretary-General

The Secretary-General hereby transmits the report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the return or restitution of cultural property to the countries of origin, in accordance with General Assembly resolution 67/80.

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# Report of the Director-General of the United Nations Educational, Scientific and Cultural Organization on the action taken by the organization on the return or restitution of cultural property to the countries of origin

*Summary*

The present report provides a summary of the activities undertaken by the United Nations Educational, Scientific and Cultural Organization in combating illicit trafficking in cultural property and promoting its return to the countries of origin or restitution in the case of illicit appropriation, since the previous report submitted to the General Assembly on the matter, in 2012 (A/67/219).

# I. Introduction

1. The present report is submitted in accordance with General Assembly resolution 67/80, in which the Assembly requested the Secretary-General, in cooperation with the Director-General of the United Nations Educational, Scientific and Cultural Organization (UNESCO), to submit to it, at its seventieth session, a report on the implementation of the resolution. Over the past several years, the escalation of violence and the destruction of cultural heritage in times of conflict, as well as the role of illicit trafficking in cultural objects in financing terrorism and violent extremism in Iraq and the Syrian Arab Republic, in particular, have led to a significant strengthening of all existing mechanisms and to an important mobilization of the international community. The report contains information regarding activities undertaken between 2012 and 2015.

# II. Ratification of the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property

2. Since 2012, Austria, Bahrain, Chile, Kazakhstan, Lesotho, Luxembourg, Myanmar, the State of Palestine and Swaziland have become party to the Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property (1970 UNESCO Convention), bringing the number of States parties to 129.

3. Furthermore, since 2012, Algeria, Angola, Honduras and the former Yugoslav Republic of Macedonia have become party to the Convention on Stolen or Illegally Exported Cultural Objects, adopted by the International Institute for the Unification of Private Law in 1995, bringing the number of States parties to 37.

# III. Statutory meetings

4. During the second meeting of States parties to the 1970 UNESCO Convention, which was held at UNESCO headquarters on 20 and 21 June 2012, it was decided to establish two institutional mechanisms to strengthen the implementation and monitoring of the Convention: a meeting of States parties to be convened every two years and an 18-member subsidiary committee to be convened by the secretariat every year.

5. Given the will of UNESCO and its member States to pursue discussions on the improved implementation of the 1970 UNESCO Convention, the preparation and submission of recommendations and operational guidelines have become a priority for many States parties.

6. Consequently, the Director-General, with the support of the Executive Board, convened an extraordinary meeting of States parties in 2013, one year before the

time frame specified in the rules of procedure, primarily to elect the 18 members[1] of the Subsidiary Committee.

7. Upon the election of its members, the first session of the Subsidiary Committee was held at UNESCO headquarters from 2 to 3 July 2013. The Committee adopted its rules of procedure and decided to consider at a later stage the possibility and the modalities of establishing a fund to support the implementation of the 1970 UNESCO Convention and to establish an informal working group to draft operational guidelines to enhance the implementation of the Convention.

8. The second session of the Subsidiary Committee was held at UNESCO headquarters from 30 June to 2 July 2014. The operational guidelines drafted by the informal working group, with the support of the secretariat, were approved. The Committee examined and welcomed the findings of the Internal Oversight Service with regard to the evaluation of UNESCO standard-setting work for the culture sector (part II — 1970 UNESCO Convention),[2] and requested the secretariat to integrate more efficiently "Global Priority Africa" into planning and programmes in support of the 1970 UNESCO Convention and to develop a comprehensive capacity-building strategy that foresaw a long-term engagement with States parties.

9. An extraordinary session of the Subsidiary Committee was held on 18 May 2015. The report and the road map for the fulfilment of its functions were approved during that session, to be submitted to the States parties at their third meeting.

10. The third meeting of States parties was held from 18 to 20 May 2015, during which the operational guidelines[3] were adopted. In addition, the emergency situations in Iraq, Libya, Mali, the Syrian Arab Republic and Yemen were discussed. During the meeting, the Subsidiary Committee was requested to provide impetus to synergies with other UNESCO cultural conventions. In addition, the Director-General was invited to establish a fund dedicated to the 1970 UNESCO Convention.

11. The nineteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in case of Illicit Appropriation was convened on 1 and 2 October 2014 to continue discussions on the return and restitution process. The recommendations adopted emphasized the role of the Committee as a facilitator of dialogue, mediation and direct negotiations concerning the return and restitution of cultural property, and reiterated the need to coordinate closely with the newly created Subsidiary Committee in order to maximize synergies and avoid duplication of efforts.

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[1] Bulgaria, Chad, China, Croatia, Ecuador, Egypt, Greece, Italy, Japan, Madagascar, Mexico, Morocco, Nigeria, Oman, Pakistan, Peru, Romania and Turkey were elected as members of the Subsidiary Committee on 1 July 2013. The members are elected for a term of four years (2013-2017), but the term of office of half of the members designated at the first election expired after two years. In 2015, nine new members were elected. The current composition of the Committee is the following: Afghanistan, Armenia, Bolivia (Plurinational State of), Bulgaria, Cyprus, Democratic Republic of the Congo, Ecuador, Greece, India, Iraq, Italy, Japan, Libya, Madagascar, Mexico, Morocco, Nigeria and Poland.

[2] See document IOS/EVS/PI/133 REV.2, available from http://unesdoc.unesco.org/images/0022/002269/226931E.pdf.

[3] Available from www.unesco.org/new/fileadmin/MULTIMEDIA/HQ/CLT/pdf/OPERATIONAL_GUIDELINES_EN_FINAL.pdf.

# IV. Legal and practical tools

12. The legal and practical tools developed by UNESCO and its partners to facilitate and improve the implementation of the 1970 UNESCO Convention have been widely promoted since 2012.

### UNESCO Database of National Cultural Heritage Laws

13. The database currently comprises 2,746 national cultural laws from 188 countries. Since June 2012, 448 texts from 45 States and the legislation of six new countries, the Cook Islands, Niue, San Marino, South Sudan, Suriname and Timor-Leste, have been added to the database.[4]

### Model Provisions on State Ownership of Undiscovered Cultural Objects

14. UNESCO and the International Institute for the Unification of Private Law have drafted model legislative provisions defining State ownership of undiscovered archaeological heritage.

15. These legal guidelines are intended to promote national law harmonization to ensure that all States acquire sufficiently explicit principles in defining State ownership of cultural heritage, especially archaeological heritage. The provisions are promoted regularly and taken into account at the international and national levels, but must continue to be actively disseminated so that States continue to improve their legislation and guarantee the return of stolen cultural property.

### Basic measures concerning cultural items offered for sale on the Internet

16. These measures,[5] which were drafted in cooperation with the International Criminal Police Organization (INTERPOL) and the International Council of Museums, are available to States wishing to follow specific procedures in order to verify the sale of cultural items on the Internet.

### Model export certificate for cultural objects

17. Developed jointly by the secretariats of UNESCO and the World Customs Organization, the model export certificate[6] is a tool to combat the illicit trafficking in cultural property. Both organizations recommend that their member States consider adopting the certificate as an international standard, given that it is particularly adapted to the growing phenomenon of cross-border movements of cultural objects.

18. The assessments of 42 States and the European Union of the utility and effectiveness of the certificate have been summarized in a report submitted to the States members and partners of UNESCO and the World Customs Organization. Since June 2012, no certificate based on such a model has been disclosed to the Database of National Cultural Heritage Laws.

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[4] Available from www.unesco.org/culture/natlaws.

[5] Available from http://portal.unesco.org/culture/en/files/21559/11836509429MesuresTraficIllicite En.pdf/MesuresTraficIlliciteEn.pdf.

[6] Available from http://unesdoc.unesco.org/images/0013/001396/139620E.pdf.

# V. Awareness-raising activities

### Television broadcasts in Iraq

19. Three television clips[7] were produced in Arabic in 2012 and broadcast on Iraqi television to raise public awareness, especially among local communities, of the risk of illicit trafficking in Iraqi cultural property.

20. In 2013, a cartoon was produced in Arabic to raise awareness among young Iraqis of the importance of preserving their cultural heritage. The video[8] was funded by the Swiss Federal Office of Culture.

### Video clips for Africa, the Caribbean, East Asia and South-East Asia

21. These videos, entitled "Heritage is identity: don't steal it",[9] target tourists, who are likely to be confronted with proposals to buy illicit cultural property while travelling. They were also designed to alert local communities to the loss of their heritage. They were released through UNESCO networks as part of the "Your actions count: be a responsible traveller" campaign, which was launched on 5 March 2014 at an international travel trade show in Berlin.

### Video clip for the Syrian Arab Republic

22. In August 2013, the UNESCO office in Amman produced a video clip to raise public awareness of the importance of the cultural heritage of the Syrian Arab Republic, drawing attention to the current situation and the need to preserve its heritage for future generations.[10]

### Campaign to combat illicit trafficking in cultural property in South America

23. The UNESCO office in Montevideo and the National Commission of Uruguay for UNESCO launched a media campaign to raise public awareness of action taken to combat trafficking in cultural property in South America. It included a competition for posters against such trafficking. A video clip was produced to draw attention to the current smuggling of cultural property in the States members of MERCOSUR and to highlight the work accomplished by UNESCO and its partners to prevent the trafficking in cultural property in the region.

24. The UNESCO office in Lima and the Ministry of Culture of Peru published a magazine, *No Robes el Pasado*,[11] for children and young people, which sets out in comic strips the risk of trafficking in cultural property and the need to protect the national and regional heritage for the enjoyment of future generations. Posters featuring the magazine's cover were also distributed.

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[7] Available from www.youtube.com/watch?v=cOMsz5XuUYo.

[8] Available from www.youtube.com/watch?v=0Lw5yLKWR10.

[9] Available from www.youtube.com/watch?v=tU6mLmBeHW4.

[10] Available from www.youtube.com/watch?v=kra3e0DL5sA (long version) and www.youtube.com/watch?v=_cUh4Ma0Doc (short version).

[11] Available from http://unesdoc.unesco.org/images/0022/002269/226971S.pdf.

**Regional campaign in the Maghreb**

25. A regional awareness-raising campaign was carried out in partnership with local authorities. In addition to producing communication aids, including posters, postcards and stickers, a series of video clips aimed both at local communities and tourists is being produced. A comic book on heritage protection will be published soon.[12]

**Cultural heritage protection handbook**

26. A new handbook in this series was published in 2012 on the topic of securing heritage of religious interest.[13] The secretariat and the Works of Art Unit of INTERPOL participated actively in this endeavour.

## VI. Training

27. Since 2012, the secretariat has regularly provided training and capacity-building programmes in every region of the world, giving priority to East and Southern Africa, the Middle East, Latin America, Asia and South-East Asia. Training workshops have been organized in 26 countries, with the participation of some 1,000 experts from 132 countries.

## VII. International cooperation

**Cooperation with intergovernmental and non-governmental organizations**

28. Since 2007, cooperation has increased between UNESCO and INTERPOL, the International Institute for the Unification of Private Law, the World Customs Organization, the United Nations Office on Drugs and Crime (UNODC), the International Centre for the Study of the Preservation and Restoration of Cultural Property, the International Council of Museums and the International Council on Monuments and Sites, as well as with the relevant specialized police forces of France, Italy and Spain.

29. These organizations communicate frequently with one another, in particular concerning the theft and illicit export of cultural property worldwide and the procedures for its restitution. Such cooperation has yielded tangible results, including the implementation of highly operational professional networks, the lawful restitution of cultural property and an improved legal and practical framework for combating the pillaging and illicit transfer of cultural property.

30. On 1 April 2015, a high-level meeting was convened by the Director-General to plan the implementation of Security Council resolution 2199 (2015). Representatives of INTERPOL, UNODC, the World Customs Organization, the International Institute for the Unification of Private Law, the International Centre for the Study of the Preservation and Restoration of Cultural Property, the International Council of Museums, the International Council on Monuments and

[12] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/awareness-raising-initiatives/postcards-maghreb/. The accompanying video clip is available from www.youtube.com/watch?v=7oHLXl-252c#t=59.

[13] Available from http://unesdoc.unesco.org/images/0021/002162/216292E.pdf.

Sites and the International Federation of Library Associations and Institutions participated, as did the Analytical Support and Sanctions Monitoring Team of the Security Council Committee pursuant to resolutions 1267 (1999) and 1989 (2011) concerning Al-Qaida and associated individuals and entities. These key UNESCO partners agreed to step up their cooperation and information exchange to improve the protection of the cultural heritage of Iraq and the Syrian Arab Republic.[14]

**European Union**

31. The European Union actively supports cultural property protection and efforts to combat trafficking, in close collaboration with UNESCO and other international partners. A joint project with UNESCO, with total funding of €2.5 million, was launched in 2014 to protect the cultural heritage of the Syrian Arab Republic and is being implemented through the Beirut office.

32. Within the framework of the workplan for culture for the period 2011-2014, the European Commission was invited to convene an expert group, in cooperation with its member States, that could propose a toolkit for use in efforts to combat trafficking in and theft of cultural goods. In particular, guidelines on codes of ethics for professionals were considered to be a useful initiative. Furthermore, UNESCO and the International Institute for the Unification of Private Law provided technical and legal assistance in the revision of the recently adopted directive 2014/60/EU on the return of cultural objects unlawfully removed from the territory of a member State. Lastly, within the workplan for culture for the period 2015-2018, adopted by the Council of the European Union on 25 November 2014, the Commission will prepare a study on the illicit trafficking of cultural objects, including European Union import rules for cultural objects illegally exported from third countries, with a view to creating a possible instrument to regulate the import of cultural goods into the European Union.

**Art market**

33. The secretariat has taken more steps involving the art market to alert professionals of the need to combat illicit trafficking in cultural property and to improve cooperation in the context of identifying stolen objects, seizure and restitution. The goal is to promote greater awareness of the concerns of member States about the looting of cultural property, especially archaeological, the circulation of works of art and the restitution of cultural property, as well as to promote transparency in the methods and best working practices of the art market.

34. Accordingly, representatives of the art market are regularly invited to participate in discussions at statutory meetings and training workshops. Thanks to the contacts established on such occasions, the secretariat encouraged, in many cases, early contact with national authorities and auction house managers in order to seek explanations for some artefacts on sale and organize restitutions, if necessary.

35. UNESCO has held extensive discussions with the international art world to improve practices and public information in areas such as provenance enquiries, ethics, restitution procedures and better knowledge of the international legal system, national legislation and the issues at stake. In March 2013, the Director-General

[14] Additional information is available from http://en.unesco.org/news/unesco-brings-together-key-partners-step-safeguarding-iraqi-and-syrian-cultural-heritage.

appealed to art market operators to routinely enquire about the origin of cultural artefacts on sale and to respect the principles and spirit of the 1970 UNESCO Convention and the Convention on Stolen or Illegally Exported Cultural Objects. The art market has also been encouraged to take action to implement the recommendations made in Security Council resolution 2199 (2015) in order to actively participate in efforts to combat trafficking in Syrian and Iraqi cultural property.

**Museums**

36. The secretariat is developing several partnerships with internationally renowned museums, in particular with the Pergamon Museum in Berlin. The goal of the project is to reduce trafficking in Iraqi and Syrian cultural property through the implementation of awareness-raising activities for the general public in art market countries, close collaboration and information exchange and cooperation on training and capacity-building. The agreement between UNESCO and the museum was launched in May 2015.

## VIII. Emergency activities

**Heritage protection in Mali**

37. UNESCO provided technical support and expertise for the activities outlined in the action plan for the rehabilitation of cultural heritage and the safeguarding of ancient manuscripts in Mali, which was adopted at an international meeting of experts organized by UNESCO in February 2013. In particular, the secretariat held a training workshop in Bamako in April 2013 on capacity-building and raising awareness for 30 participants drawn mainly from police and customs services in Mali and neighbouring countries.[15]

38. In addition, the secretariat contributed to the content and distribution of UNESCO publications, including a map and a heritage passport, which were dedicated to safeguarding Malian cultural property. The passport contained information produced for the armed forces and the public on the cultural heritage of the Timbuktu, Gao and Kidal regions.

39. Following the adoption by the Security Council of resolution 2100 (2013) creating the United Nations Multidimensional Integrated Stabilization Mission in Mali, which gave it the mandate of assisting the transitional authorities of Mali, as necessary and feasible, in protecting from attack the cultural and historical sites in Mali, the United Nations, in collaboration with UNESCO, has developed specific tools, including a brochure for trained personnel, a handbook and questionnaire for trainers and a slide presentation, to train Mission military, police and civilian personnel before they are deployed to Mali. The tools provide an integrated approach to the protection of cultural heritage.

[15] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/mali/intensifying-the-fight-against-illicit-trafficking-of-cultural-property-in-west-africa.

40. Training on the protection of and respect for cultural heritage began in mid-October 2013 and has continued. Between October 2013 and June 2015, 1,723 individuals were trained.

**Heritage protection in Libya and Yemen**

41. UNESCO has publicly urged all State and non-State actors to reinforce action and vigilance in order to protect the cultural heritage of Libya and Yemen amid growing unrest and insecurity in the light of the increased risk of looting and illicit trafficking.[16]

42. In close cooperation with INTERPOL and cultural heritage managers, information is regularly published on the secretariat's dedicated web page regarding initiatives and action taken to combat trafficking in Libyan cultural property, including statements by the Director-General, UNESCO press releases and an overview of capacity-building workshops delivered by the secretariat to the Libyan police on combating illicit trafficking in cultural property.[17]

43. A 10-day training workshop co-organized by the Ministry of Culture of Libya and UNESCO on the protection of cultural sites and museums to prevent and combat illicit trafficking in Libyan cultural property was held at the World Heritage Site of Cyrene in November 2013.[18] This workshop was a follow-up to an introductory workshop on the prevention of and efforts to combat illicit trafficking held in Tripoli in April 2013 and the training session held at the archaeological site of Sabratha, Libya, in September 2013.[19] The workshops, aimed at enforcing an efficient protection system in the country and establishing a specialized Libyan police force, included the participation of tourist police officers, border security officials, police from criminal investigation units, customs officials, university officials and civil society organizations from the regions of Cyrenaica and Fezzan. Public prosecutors, judges and representatives of the National Centre Bureau of INTERPOL in Libya and the property registration office in Shahat also participated. A number of international and Libyan archaeologists, university researchers, experts from the customs department of France and police and border security advisory units of the United Nations Support Mission in Libya participated in the training as key partners. During the activities, several cultural objects were returned to Libya from Italy.[20] The secretariat continues to monitor the current situation in Libyan museums very closely, in cooperation with the staff of those museums.

44. Given the current emergency situation in Yemen and the various responses of the parties involved, UNESCO decided to organize an expert meeting and develop a strategy for the emergency safeguarding of the country's cultural heritage and the

[16] Additional information is available from www.unesco.org/new/en/media-services/single-view/news/unesco_director_general_calls_on_all_parties_to_protect_lybias_unique_cultural_heritage (on Libya) and www.unesco.org/new/en/media-services/single-view/news/director_general_calls_for_the_protection_of_yemens_cultural_heritage (on Yemen).

[17] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/libya/.

[18] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/arab-states/shahat-2013.

[19] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/arab-states/sabratha-2013/.

[20] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/capacity-building/arab-states/tripoli-2013.

action to be taken by UNESCO partners. The meeting was held at UNESCO headquarters on 15 and 16 July 2015.

**Heritage protection in the Syrian Arab Republic**

45. Under its action plan to protect the cultural heritage of the Syrian Arab Republic, UNESCO conducted an emergency regional training workshop in Amman in February 2013 with the support of the Swiss Federal Office of Culture and in cooperation with international partners. International cultural heritage and art market experts and representatives of Iraq, Jordan, Lebanon, the Syrian Arab Republic and Turkey attended the workshop in order to formulate an emergency strategy to resolve problems arising from the trafficking in Syrian cultural property, especially along the Syrian border.[21]

46. Pursuant to that workshop and in order to continue to raise awareness of the need to protect the cultural heritage of the Syrian Arab Republic, a seminar on action against trafficking in its cultural property was held at the National Museum in Damascus from 12 to 13 May 2013. A national awareness-raising campaign entitled "Save Syria's history" was also launched and material on the subject was disseminated.

47. A high-level technical meeting on safeguarding the cultural heritage of the Syrian Arab Republic was held at UNESCO headquarters on 29 August 2013. The secretariat provided expertise and contributed to the call by the European Union for the protection of that cultural heritage, which resulted in the establishment of the Emergency Safeguarding of the Syrian Cultural Heritage project,[22] which received €2.5 million in funding from the European Union. In collaboration with the strategic partners of UNESCO, the project was launched on 1 March 2014 for a period of three years.

48. A round-table conference on action taken to combat trafficking in cultural property was convened during an international expert meeting on rallying the international community to safeguard the cultural heritage of the Syrian Arab Republic, which was held at UNESCO headquarters from 26 to 28 May 2014.[23]

49. An additional workshop to combat illicit trafficking in Syrian cultural property was held in Beirut from 10 to 14 November 2014, within the framework of the Emergency Safeguarding of the Syrian Cultural Heritage project, and was organized for 35 police and customs officers from Iraq, Jordan, Lebanon, the Syrian Arab Republic and Turkey.

50. Within the framework of the Emergency Safeguarding of the Syrian Cultural Heritage project, the UNESCO office in Beirut organized a training workshop from

[21] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-traffic-of-cultural-property/capacity-building/arab-states/syrian-heritage-strategy-to-fight-the-illicit-trafficking-of-cultural-property/.

[22] Additional information is available from https://en.unesco.org/syrian-observatory/emergency-safeguarding-syrian-cultural-heritage-project.

[23] See www.unesco.org/new/en/media-services/single-view/news/unesco_to_create_an_observatory_for_the_safeguarding_of_syrias_cultural_heritage.

26 to 30 January 2015 on protecting movable heritage during and after the conflict and protecting the museums from looting.[24]

51. To address the critical issue of updating inventories and locating documentation on cultural heritage preservation, especially during the crisis in the Syrian Arab Republic and in preparation for the post-conflict recovery phase, a meeting on improving inventories of built, movable and intangible cultural heritage was held in Beirut from 16 to 18 February 2015.

**Heritage protection in Iraq**

52. Information on the current situation is disseminated regularly on the dedicated website of UNESCO for initiatives and actions taken to combat the trafficking in Iraqi cultural property. The website also provides practical tools and support, as well as information on the actions and activities by partner organizations.[25]

53. A consultative meeting was held at UNESCO headquarters on 17 July 2014 to develop an emergency response action plan to safeguard the rich and diverse cultural heritage of Iraq, especially from illicit trafficking. It brought together Iraqi experts and representatives of the International Centre for the Study of the Preservation and Restoration of Cultural Property, the International Council of Museums, the International Council on Monuments and Sites, the International Federation of Library Associations and Institutions, INTERPOL, the International Committee of the Blue Shield and UNESCO.[26]

54. The Director-General visited Baghdad and Erbil, Iraq, on 2 November 2014 to stand with the people and Government in the face of attacks by radical extremists on minority groups and the country's cultural and religious heritage. She pledged that UNESCO would step up its efforts to support reconciliation and national dialogue.

**Joint initiatives to protect Syrian and Iraqi cultural heritage**

55. The Director-General has made many public declarations and statements, including joint statements with the United Nations, condemning the destruction and looting of cultural property in Iraq and the Syrian Arab Republic,[27] and has appealed to the international community and local people to act to protect the cultural heritage of both countries.

56. A conference on cultural diversity and heritage at risk in Iraq and the Syrian Arab Republic was held at UNESCO headquarters on 3 December 2014, which brought together some 500 decision makers, experts and representatives of Iraq and

[24] Additional information is available from www.unesco.org/new/en/beirut/single-view/news/unesco_trains_syrian_professionals_on_securing_movable_heritage.

[25] See www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/iraq/.

[26] Additional information is available from www.unesco.org/new/en/media-services/single-view/news/-a36765f929.

[27] Additional information is available from www.unesco.org/new/en/culture/themes/illicit-trafficking-of-cultural-property/emergency-actions/iraq/statements-by-unesco-director-general (on Iraq) and https://en.unesco.org/syrian-observatory/official-statements (on the Syrian Arab Republic).

the Syrian Arab Republic, senior United Nations envoys, international curators, academics and members of the public.[28]

57. As stated in the report of the Analytical Support and Sanctions Monitoring Team (S/2014/815), UNESCO played a key consultative role in sharing information on the systematic looting of cultural property in Iraq and the Syrian Arab Republic, which led the Monitoring Team to recommend that the Chair request the Security Council to mandate a worldwide moratorium on the trading of antiquities from the Syrian Arab Republic and Iraq. This contributed to the unanimous adoption by the Council of resolution 2199 (2015).

58. Furthermore, to strengthen the coordination mechanisms among UNESCO and its partners, and to map out the effective implementation of Security Council resolution 2199 (2015), the Director-General organized a restricted high-level meeting at UNESCO headquarters on 1 April 2015.[29] With the involvement of the coordinator of the Analytical Support and Sanctions Monitoring Team, INTERPOL, the World Customs Organization, the International Institute for the Unification of Private Law, UNODC, the International Centre for the Study of the Preservation and Restoration of Cultural Property, the International Council of Museums, the International Council on Monuments and Sites, the International Council on Museums, the International Federation of Library Associations and Institutions and the International Council on Archives, a road map has been agreed upon for international action among these partners. It is focused on coordination mechanisms for information-sharing and joint action, as well as the establishment of a network with focal points from each organization to facilitate information exchange and to expedite responses to emergency situations.

59. In addition, the UNESCO Executive Board, at its 196th session, unanimously approved 196 EX/Decision 29 to enhance the role of UNESCO in the matter. The decision is in follow-up to 195 EX/Decision 31, adopted unanimously by the Board at its 195th session, on cultural heritage protection in Iraq.

**International measures**

60. It is explicitly acknowledged in Security Council resolution 2199 (2015) that illicit trafficking is among the sources of financing of terrorism. The Council prohibited cross-border trade in the cultural property illegally removed from Iraq and the Syrian Arab Republic since, respectively, 6 August 1990 and 15 March 2011.

61. Adopted under Chapter VII of the Charter of the United Nations, the resolution provides for a range of tools, including sanctions and other compulsory measures, to curb the operational capabilities of Islamic State in Iraq and the Levant and the Nusrah Front. It is focused extensively on financial support networks, in particular the fundraising by Islamic State in Iraq and the Levant through oil smuggling, the looting of antiquities, kidnapping for ransom and other illicit activities.

[28] Additional information is available from http://whc.unesco.org/en/news/1206.

[29] Additional information is available from http://en.unesco.org/news/unesco-brings-together-key-partners-step-safeguarding-iraqi-and-syrian-cultural-heritage.

62. In the resolution, the Security Council:

(a) Condemned the destruction of cultural heritage in Iraq and the Syrian Arab Republic, including targeted destruction of religious sites and objects;

(b) Decided that all Member States must take appropriate steps to prevent the trade in cultural property and other items of archaeological, historical, cultural, rare scientific, and religious importance illegally removed from Iraq since 6 August 1990 and from the Syrian Arab Republic since 15 March 2011, including by prohibiting cross-border trade in such items;

(c) Called upon UNESCO, INTERPOL and other international organizations, as appropriate, to assist in the implementation of the prohibition.

63. On 6 July 2015, UNESCO sent a report to the Analytical Support and Sanctions Monitoring Team regarding the implementation of the resolution at the national level. It includes the evaluation of the measures already taken, the efforts of UNESCO to strengthen the impact of the resolution and proposals for improving its implementation, as well as information on seized Iraqi and Syrian artefacts.

## IX. Support from States parties

64. The table provides information on financial support provided by States parties in various areas.

| *State* | *Financial allocation* |
|---|---|
| Bahrain | • Arabic translation of *Witnesses to History: Documents and Writings on the Return of Cultural Objects* |
| Belgium | • Associated expert contract |
| China | • Second meeting of States parties to the 1970 UNESCO Convention and the eighteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation |
| | • Extraordinary meeting of States parties and the first session of the Subsidiary Committee |
| Greece | • Second meeting of States parties to the 1970 UNESCO Convention and the eighteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation |
| Italy | • Training workshop for the Libyan police on the prevention of and efforts to combat the trafficking in cultural property |
| | • Introductory workshop on the prevention of and efforts to combat the trafficking in Libyan cultural property |
| Monaco | • Capacity-building project in Mongolia to combat trafficking in cultural items in Mongolia (phase II: operational action) |

| *State* | *Financial allocation* |
|---|---|
| Netherlands | • Seminar to combat trafficking in Caribbean cultural property |
| | • Production of a video to raise awareness of trafficking in cultural property |
| | • UNESCO subregional symposium on efforts to combat trafficking in cultural heritage in South-East Asia |
| Republic of Korea | • Second meeting of States parties to the 1970 UNESCO Convention and the eighteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation |
| Spain | • Full training programmes and awareness-raising activities on efforts to combat illicit trafficking in cultural property in Latin America |
| | • Full training programmes and awareness-raising activities on efforts to combat illicit trafficking in cultural property in North Africa |
| | • Spanish interpretation at the eighteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation |
| | • Regional workshop to train instructors to combat trafficking in cultural property in Meknès, Morocco |
| Switzerland | • "Recovered Treasures" exhibition |
| | • Meeting on the protection of Syrian cultural heritage |
| | • Extraordinary meeting of States parties and the first session of the Subsidiary Committee |
| | • Production of a video to raise awareness of trafficking in cultural property |
| | • French translation of *Witnesses to History: Documents and Writings on the Return of Cultural Objects* |
| | • Training programmes and awareness-raising activities on efforts to combat illicit trafficking in cultural property in Egypt |
| | • Study database on cases of return of cultural property |
| Turkey | • Second meeting of States parties to the 1970 UNESCO Convention and the eighteenth session of the Intergovernmental Committee for Promoting the Return of Cultural Property to its Countries of Origin or its Restitution in Case of Illicit Appropriation |
| | • Contract of seconded expert |
| | • Third meeting of States parties to the 1970 UNESCO Convention |
| United States of America | • UNESCO Database of National Cultural Heritage Laws |

# X. Conclusion

65. Since 2012, threats to cultural heritage have been increasing and have taken on new forms. UNESCO, with its partners, has therefore continued and intensified its activities to combat them and provide support to States, including by strengthening existing mechanisms and mobilizing the international community.

66. UNESCO continues to fulfil its mission and diversify its activities, given that it is necessary to involve the greatest number of stakeholders. Two components have been accorded priority on the basis of the reports sent by member States on the implementation of Security Council resolution 2199 (2015): strengthening the legal framework and developing awareness-raising and capacity-building activities. It is essential that member States pursue their efforts for the national-level application of the principle of due diligence, which requires that a certain standard of care be shown by the possible buyer of an artefact in order to ensure the legality of the trade of such an object.

67. UNESCO encourages member States:

(a) To take action at the level of the art market to target the chain of traffic at its end point;

(b) To regulate the trade in cultural property, especially on the Internet;

(c) To promote the universal ratification and enhanced implementation of the 1970 UNESCO Convention and of the Convention on Stolen or Illegally Exported Cultural Objects;

(d) To strengthen the duty of due diligence by which a potential buyer must carefully research the provenance of the object;

(e) To implement national educational and awareness-raising campaigns;

(f) To cooperate with the financial and trade sectors in the light of the high risk of money-laundering through investments in antiquities;

(g) To intensify cooperation at the national, regional and international levels.